

The Mining Journal.

No. 457.]

ENLARGED SHEET.

[May 25.

VICTORIA LIFE ASSURANCE COMPANY.

For James Duke, Ald., M.P., Chairman. (Resd. Hoxton, Eng., Deputy-Chairman.) Benjamin Barnard, Esq. Charles Baldwin, Esq.

Forfeited advantages are offered by this company. Those persons desiring the lives of others may make their policies secure, notwithstanding the life assurance may go out of the limits of Europe, without the necessity of making the directors having been previously obtained.

Credit of half the premiums for the first five years allowed on policies effected for the whole term of life.

On policies of five years' standing, half the amount paid, after the first year's premium, may be borrowed on the security of the assured.

Advances are also made to persons on real or undoubted personal security, for terms of years, repayable by instalments.

Attention is particularly requested to the detailed prospectus of the company, which may be obtained at the office, 18, King William Street, City, or by letter, addressed to the secretary.

MEDICAL, INVALID, AND GENERAL LIFE OFFICE.

15, Pall Mall, London.

CHARLES HOPKINSON, Esq., Resident Agent.

ALFRED WADDILOVE, D.C.L., Doctors' Commons.

Directors: J. Hopkinson, Esq., F.R.S., 17, Upper Grosvenor Street. S. B. Todd, M.D., F.R.S., 26, Parliament Street. Alfred Waddilove, D.C.L., Doctors' Commons.

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ECONOMIC LIFE ASSURANCE SOCIETY.

No. 24, BRIDGE-STREET, BLACKFRIARS, LONDON.

Empowered by Act of Parliament, 3 William IV.

Directors: The Right Hon. THOMAS FRANKLAND LEWIS, Chairman. HENRY FREDERICK STEPHENSON, Esq., Deputy Chairman.

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THE LAW OF JOINT-STOCK COMPANIES. No. III.

BY CHARLES WOODS WORTH, ESQ.

As every information connected with the laws by which mining companies are regulated, those relating to the Statutory Courts, No. III, must be interesting to our readers, we give this part of the work entire, with the exception of some details of law cases in illustration of the principles laid down, which are unnecessary for our purpose.

MINING COMPANIES.

Mines are of two classes—royal, which include those of gold and silver; and common, or not royal, which include tin, iron, copper, lead, &c. By the old common law, if gold or silver were found in mines of base metal, belonging to the opinion of some, the whole was a royal mine, and belonged to the King; though others hold, that it only did so if the quantity of gold or silver was of greater value than the quantity of base metal. However, by the Statute 1 Will. and Mary, c. 30, and 5 Will. and Mary, c. 4, this difference became immaterial—it being enacted, that no mines of copper, tin, iron, or lead, should be looked upon as royal mines, notwithstanding gold or silver might be extracted from them in any quantity; but that the King, or persons claiming royal mines under his authority, might have the ore (other than tin ore, in the counties of Devon and Cornwall), paying for the same a price stated in the Act. This, it was said, was an extremely reasonable law—for otherwise private owners would have been discouraged from working mines, through a fear that they might be claimed as royal ones; and, on the other hand, the King did not depart from his just rights of his revenue, since he might have all the precious metal contained in the ore, paying no more for it than the value of the base metal, to which base metal the landowner was by reason and law entitled.

It is not within the scope of this publication to treat of the law of mines, but merely of the formation, together with the law, of mining companies. In order to do this, it will not be necessary to discuss the customs of Cornwall and Devonshire, nor of Derbyshire and other parts of the kingdom, where such prevail and regulate mining operations. There is, however, a recent statute affecting the administration of justice in mining matters in Cornwall, which, as it is of great importance to that county, where mining adventures are carried on to a great extent, it seems desirable should find a place in this compilation. Allusion is here made to the Statutory Courts of Cornwall. It is said by Blackstone, in the third volume of his Commentaries, that the Statutory Courts in Devonshire and Cornwall, for the administration of justice among the tinners therein, are also Courts of Record; but of the same private and exclusive nature as those of the Cinque Ports. They are held before the Lord Warden, and his substitutes, in virtue of a privilege granted to the workers in the tin mines there, in and he and only in their own courts, that they may not be drawn from their business, which is highly profitable to the public, by attending their law suits in other courts (4 Inst. 332). The privilege of the tinners are confirmed by a charter, 33 Ed. 1., and fully expounded by a private statute, 30 Ed. 111. (at length in 4 Inst. 332), which has since been explained by a public Act, 16 Car. 1, c. 13. All tinners and labourers in and about the tinmines, during the time of their working therein, and *ad extra*, are privileged from suits of other courts, and can be only impleaded in the Statutory Court, in all matters, excepting pleas of land, *life*, and *remainder*. No writ of error lies from hence to any court in Westminster Hall, as was agreed by all the judges (4 Inst. 331), in 4 Jac. 1; but an appeal lies from the Statutory Court to the Under Warden, and from him to the Lord Warden, and thence to the Privy Council of the Prince of Wales, as Duke of Cornwall, when he hath had livery or investiture of the same (3 Hilt. 183); and from thence the appeal lies to the King himself, in the last resort.

In the last reign, however, an Act was passed for the better and more expeditious administration of justice in the tinmines of Cornwall, in which county alone it applies, and for enlarging the jurisdiction and improving the practice and proceedings in the Statutory Courts. The preamble recites, that there has existed throughout the tinmines of Cornwall a court in which the Vice Warden has, in certain cases wherein "the tinners," or "miners," are concerned, exercised original equitable jurisdiction—that there has existed a court in each of the tinmines, called the "Steward's Court," in which the Steward has exercised a "common law jurisdiction in such like cases"—that such jurisdiction, as well of the Vice Warden as of the Steward, has been confined to cases where "the tinners" or "miners" are concerned—that in late times, lead, copper, and other metals than tin, have been discovered in that county, and over the matters connected with the working for, purifying, and smelting of which, such jurisdiction has not been considered to extend—that the persons working and interested in lead, copper, and other metals, are inconveniently in their disputes in cases where such metals other than tin are concerned, and are put to great inconvenience in obtaining redress therein—that it is expedient to "unite the Court of Equity of the Vice Warden with the courts of common law of the Steward of the tinmines, and to extend the jurisdiction of the court to and over all metals and metallic minerals in the said tinmines, and to and over all transactions connected therewith;" and also to "confirm, alter, and enlarge the powers of such court in various particulars, and to make other provisions than heretofore for the hearing of appeals and writs of error therefrom." The statute provides for the appointment of a "Vice Warden of the tinmines," who is the judge of the court (after mentioned), having both a common law and an equity office, and which comprehends the court heretofore the court of the Vice Warden and the courts heretofore the courts of the tinmines; he may be removed in the mode pointed out by the statute. The original equitable jurisdiction heretofore administered by the Vice Warden is to be exercised by that officer, and the same equitable jurisdiction is given to him in all matters relating to mines worked for lead, copper, or other metal or metallic minerals, within the county of Cornwall. All disputes, matters, &c., by the Vice Warden, may be referred and varied by the Vice Warden, according to the practice of the court; and the Lord Warden shall have power, on any appeal presented to him within the time limited by the practice of the court, with the aid and assistance of three or more members of the Judicial Committee of the Privy Council, to affirm, alter, or reverse, any decrees, orders, &c., and to dismiss such appeal, with costs or otherwise; but the judgments pronounced by the Lord Warden must be transmitted to the court of the Vice Warden, to be by such court carried into effect—and are also subject to appeal to the House of Lords; but there can be no appeal, nor will any appeal operate as a stay of proceedings, unless the applicant give security to pay costs of appeal, if decided against him. The courts of law of the respective tinmines, heretofore held before the Stewards thereof, are consolidated into one court, to be held before the Vice Warden, who, as judge thereof, is to exercise the same common law jurisdiction, &c., as was heretofore exercised by the Stewards. The Vice Warden is also to exercise the same common law jurisdiction, and the same powers, &c., in all matters connected with lead, copper, or any other metal or metallic mineral, within the county, in as full and ample a manner as if the same had been committed with tin or the ore, or the mine, or mine worked for tin—subject, however, to appeal thence to the Lord Warden, who may receive appeals (the same to be referred with his secretary, at the Steward's office), and is empowered, being assisted by three or more members of the Judicial Committee of the Privy Council, to hear such appeals, and to affirm, alter, and reverse such judgments, orders, &c., in whole or in part, or to dismiss the appeal, with costs or otherwise; but a record of every judgment pronounced by the Lord Warden, and signed by him, is to be transmitted to the Vice Warden's Court, which is to carry the same into effect. And, also, upon an appeal from a judgment upon the verdict of a jury, the Lord Warden, as stated and limited on appeal, shall not receive, alter, or improve into the judgment, except only by error of law appearing upon the record—and every judgment of the Lord Warden is made subject to an appeal to the House of Lords; but there can be no appeal from the common law court, nor will it operate as a stay of proceedings, unless the applicant give security for the costs of appeal, which the applicant is to give to the Vice Warden, who may grant it upon any of the grounds on which such writs are now granted by the courts at Westminster, and upon such

PROVIDENT CLERKS' MUTUAL BENEFIT ASSOCIATION.

INCORPORATED UNDER THE PROVIDENT SOCIETIES ACT, 1844.

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Item.	Date.	Amount.	Balance.
July's total	1897	10 10 0	10 10 0
Aug. 10	1897	4 9 21	5 10 79
Sept. 10	1897	5 4 21	10 15 00
Oct. 10	1897	5 4 21	15 19 21
Nov. 10	1897	5 4 21	20 23 42
Dec. 10	1897	5 4 21	25 28 03
Jan. 10	1898	5 4 21	30 32 24
Feb. 10	1898	5 4 21	35 36 45
Mar. 10	1898	5 4 21	40 41 06
Apr. 10	1898	5 4 21	45 45 27
May 10	1898	5 4 21	50 49 48
June 10	1898	5 4 21	55 54 09
July 10	1898	5 4 21	60 58 30
Aug. 10	1898	5 4 21	65 62 51
Sept. 10	1898	5 4 21	70 67 12
Oct. 10	1898	5 4 21	75 71 33
Nov. 10	1898	5 4 21	80 75 54
Dec. 10	1898	5 4 21	85 80 15
Jan. 10	1899	5 4 21	90 84 36
Feb. 10	1899	5 4 21	95 88 57
Mar. 10	1899	5 4 21	100 93 18
Apr. 10	1899	5 4 21	105 97 39
May 10	1899	5 4 21	110 101 60
June 10	1899	5 4 21	115 105 81
July 10	1899	5 4 21	120 110 02
Aug. 10	1899	5 4 21	125 114 23
Sept. 10	1899	5 4 21	130 118 44
Oct. 10	1899	5 4 21	135 122 65
Nov. 10	1899	5 4 21	140 126 86
Dec. 10	1899	5 4 21	145 131 07
Jan. 10	1900	5 4 21	150 135 28
Feb. 10	1900	5 4 21	155 139 49
Mar. 10	1900	5 4 21	160 143 70
Apr. 10	1900	5 4 21	165 147 91
May 10	1900	5 4 21	170 152 12
June 10	1900	5 4 21	175 156 33
July 10	1900	5 4 21	180 160 54
Aug. 10	1900	5 4 21	185 164 75
Sept. 10	1900	5 4 21	190 168 96
Oct. 10	1900	5 4 21	195 173 17
Nov. 10	1900	5 4 21	200 177 38
Dec. 10	1900	5 4 21	205 181 59
Jan. 10	1901	5 4 21	210 185 80
Feb. 10	1901	5 4 21	215 190 01
Mar. 10	1901	5 4 21	220 194 22
Apr. 10	1901	5 4 21	225 198 43
May 10	1901	5 4 21	230 202 64
June 10	1901	5 4 21	235 206 85
July 10	1901	5 4 21	240 211 06
Aug. 10	1901	5 4 21	245 215 27
Sept. 10	1901	5 4 21	250 219 48
Oct. 10	1901	5 4 21	255 223 69
Nov. 10	1901	5 4 21	260 227 90
Dec. 10	1901	5 4 21	265 232 11
Jan. 10	1902	5 4 21	270 236 32
Feb. 10	1902	5 4 21	275 240 53
Mar. 10	1902	5 4 21	280 244 74
Apr. 10	1902	5 4 21	285 248 95
May 10	1902	5 4 21	290 253 16
June 10	1902	5 4 21	295 257 37
July 10	1902	5 4 21	300 261 58
Aug. 10	1902	5 4 21	305 265 79
Sept. 10	1902	5 4 21	310 269 00
Oct. 10	1902	5 4 21	315 273 21
Nov. 10	1902	5 4 21	320 277 42
Dec. 10	1902	5 4 21	325 281 63
Jan. 10	1903	5 4 21	330 285 84
Feb. 10	1903	5 4 21	335 290 05
Mar. 10	1903	5 4 21	340 294 26
Apr. 10	1903	5 4 21	345 298 47
May 10	1903	5 4 21	350 302 68
June 10	1903	5 4 21	355 306 89
July 10	1903	5 4 21	360 311 10
Aug. 10	1903</		

